

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SAFECAST LIMITED, <i>Plaintiff,</i> v. AT&T CORPORATION, <i>Defendant.</i>	Case No. 6:22-cv-00676-ADA JURY TRIAL DEMANDED
SAFECAST LIMITED, <i>Plaintiff,</i> v. GOOGLE LLC, <i>Defendant.</i>	Case No. 6:22-cv-00678-ADA JURY TRIAL DEMANDED
SAFECAST LIMITED, <i>Plaintiff,</i> v. MICROSOFT CORPORATION, <i>Defendant.</i>	Case No. 6:22-cv-00983-ADA JURY TRIAL DEMANDED
SAFECAST LIMITED, <i>Plaintiff,</i> v. VERIZON COMMUNICATIONS, INC., <i>Defendant.</i>	Case No. 6:22-cv-00683-ADA JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

In accordance with the Scheduling Order (Dkt. 23, 6:22-cv-00676; Dkt. 39, 6:22-cv-00678; Dkt. 22, 6:22-cv-00983; Dkt. 23, 6:22-cv-00683) entered in the above-captioned actions, Plaintiff SafeCast Limited and Defendants AT&T Corp., Google LLC, Microsoft Corp., and Verizon Communications Inc. (“Defendants”) submit this Joint Claim Construction Statement. This Statement identifies the disputed and agreed constructions for claim terms found in U.S. Patent No. 9,392,302 (“the ’302 patent”).

I. DISPUTED CLAIM TERMS

Claim Term	SafeCast’s Construction	Defendants’ Construction	Claims of the ’302 Patent	Party that Proposed the Term
“local broadcasting regulation”	Plain and ordinary meaning; no construction necessary	“regulations/laws/ordinances created by a regulatory agency with regard to broadcast content”	1, 3, 12	Defendants
“local broadcasting time regulation laid down by the broadcasting authority”	Plain and ordinary meaning; no construction necessary	“time-related regulations/laws/ordinances created by a regulatory agency with regard to broadcast content”	1, 3, 12	Defendants
“control means . . .” Means-plus-function subject to § 112 ¶ 6	<p align="center"><u>Claims 1 and 12</u></p> <p>Functions: “read said first field and said clock signal and said rules database and to apply said local broadcasting time regulation to each advertisement before said advertisement is shown”; “update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing”</p> <p>Structure:</p>	<p>Functions: “read said first field and said clock signal and said rules database and [] apply said local broadcasting time regulation to each advertisement before said advertisement is shown; [and] update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing”</p> <p>Structure:</p>	1, 2, 8, 9, 12	Defendants

Claim Term	SafeCast's Construction	Defendants' Construction	Claims of the '302 Patent	Party that Proposed the Term
	The personal video recorder (PVR) 60, advertisement database on the hard disc, advertisement headers, Real Time of day signal, internet connection/modem. See Abstract, 1:58, 2:24-26; 3:63-4:23; 4:24-5:29; 6:1-12; 6:33-44; 6:54-62; Fig. 8; and the rules database at 4:57-63.	None disclosed for at least function of "update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing" and, therefore, indefinite		
	Claim 2			
	Functions: "each header includes a keyword, and the control means checks the keyword against the rules database during application of said local broadcasting time regulation to said advertisement" Structure: The personal video recorder (PVR) and advertisement database on hard disc at 4:24-5:29; 6:4-12; 6:33-37; 6:54-62; Fig. 8; the rules database on hard disc at 4:57-63.	Functions: In addition to the three functions of the "control means" in Claim 1, "check the keyword against the rules database during application of said local broadcasting time regulation to said advertisement" Structure: None disclosed for at least function of "update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing" and, therefore, indefinite		
	Claim 8			
	Functions: "when the application of said local broadcasting time regulation to a particular advertisement indicates that showing the particular	Functions: In addition to the three functions of the "control means" in Claim 1, "when the application of said local broadcasting time regulation to a		

Claim Term	SafeCast's Construction	Defendants' Construction	Claims of the '302 Patent	Party that Proposed the Term
	<p>advertisement would violate the local broadcasting time regulation, search the advertisements stored in the advertisement supply means until either an advertisement is found that does not violate the local broadcasting time regulation or it is determined that no advertisement stored in the advertisement supply means is suitable for showing under the local broadcasting time regulation”</p> <p>Structure: The personal video recorder (PVR) and advertisement and programme databases on hard disc at 4:24-5:29; 6:33-37; 6:54-62; Fig. 8; the rules database on hard disc at 4:57-63.</p>	<p>particular advertisement indicates that showing the particular advertisement would violate the local broadcasting time regulation, search the advertisements stored in the advertisement supply means until either an advertisement is found that does not violate the local broadcasting time regulation or it is determined that no advertisement stored in the advertisement supply means is suitable for showing under the local broadcasting time regulation”</p> <p>Structure: None disclosed for at least function of “update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing” and, therefore, indefinite</p>		
	Claim 9			
	<p>Functions: “show during time-shifted viewing of the programme a mix of advertisements that were received during the live broadcast of the programme and advertisements that were received other than in the live</p>	<p>Cl. 9: Functions: In addition to the three functions of the “control means” in Claim 8, “show during time-shifted viewing of the programme a mix of advertisements that were received</p>		

Claim Term	SafeCast's Construction	Defendants' Construction	Claims of the '302 Patent	Party that Proposed the Term
	<p>broadcast of the programme being shown during time-shifted viewing”</p> <p>Structure: The personal video recorder (PVR) and programme and advertisement databases on hard disc at 4:22-27; 4:42–5:29; 5:47-53; 6:54-62; Fig. 8; the rules database on hard disc at 4:57-63.</p>	<p>during the live broadcast of the programme and advertisements that were received other than in the live broadcast of the programme being shown during time-shifted viewing”</p> <p>Structure: None disclosed for at least function of “update the second field in the header of said advertisement when said advertisement is again shown during time-shifted viewing” and, therefore, indefinite</p>		
time-shifted viewing/listening	Plain and ordinary meaning; no construction necessary	“viewing/listening after the original broadcast”	1, 12	Defendants

II. AGREED CONSTRUCTIONS

Claim Term	Agreed Construction	Claims of the '302 Patent
<p>“rules database means . . .”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “contain[] rules relating to said local broadcasting time regulation”</p> <p>Structure: “hard disc 62 in PVR 60, containing rules database (90)”</p>	1, 7

Claim Term	Agreed Construction	Claims of the '302 Patent
<p>“data storage means”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “storing a programme episode database, an advertisement database, and a rules database”</p> <p>Structure: “hard disc 62 in PVR 60”</p>	12
<p>“input connection means”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “connection to a source of video/audio signals and a real-time clock signal”</p> <p>Structure: “a connection between PVR 60 and aerial 20, a modem 22 or the internet 24 as in prior art</p>	12
<p>“output connection means”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “connection to a consumer’s viewing/listening unit”</p> <p>Structure: “connection between the PVR (60) and a TV set 68, as depicted in Figure 4”</p>	12
<p>“programme supply means”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “to supply broadcast digital video/audio programmes having therein periodic breaks for the insertion of advertisements”</p> <p>Structure: “personal video recorder (PVR) that reads the hard disc 62 in the PVR and supplies the programmes to the display unit 68 from the programme database 80 on the hard disc”</p>	1, 8, 9

Claim Term	Agreed Construction	Claims of the '302 Patent
<p>“advertising supply means”</p> <p>Means-plus-function subject to § 112 ¶ 6</p>	<p>Function: “to supply advertisements within the periodic breaks, each advertisement having associated therewith a header comprising a first field related to a local broadcasting time regulation laid down by the broadcasting authority, which local broadcasting time regulation restricts the time of day at which said advertisement may be shown, and a second field related to the number of times said advertisement has previously been shown during time-shifted viewing”</p> <p>Structure: “personal video recorder (PVR) that reads the database 70 on hard disc 62 in the PVR and supplies adverts from advertisement database 70 on the hard disc to be played during periodic breaks in the programme”</p>	<p>1, 8, 9</p>

DATED: June 6, 2023

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